

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/597,909 Int'l. Appln. No.: PCT/US05/04254
Int'l. Filing Date: 12 February 2005 Priority Date: February 12, 2004
Applicant(s): OLSTEIN, Alan D. Atty. Docket: 21001.012US
Title: **SELECTIVE GROWTH MEDIUM FOR *LISTERIA* spp**

**TRANSMITTAL OF MISSING REQUIREMENTS OF
APPLICATION FILED UNDER 35 USC §371**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Missing Requirements mailed on May 1, 2007 (copy enclosed), the time for Response having been extended one month until August 1, 2007, enclosed for filing with the above-referenced patent application is an executed Declaration and Power of Attorney. Kindly place this document in the application's file and commence examination.

Applicant notes that the Search Report for the corresponding International Application No. PCT/US05/04365 (WO 2005/079276 -- the priority application) has not yet been established by the International Search Authority, in this case, the US/ISA. Applicant acknowledges that the Search Fee for the U.S. national phase application has been adjusted accordingly.

The \$65 fee for furnishing the Declaration later than 30 months from the earliest claimed priority date (37 CFR §1.492(f)) was paid upon filing of the application on 11 August 2006. The

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

23 July 2007

23 July 2007

S. Johnson

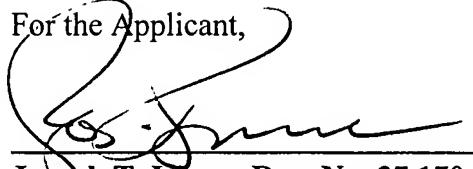
Date of Deposit

Date of Signature

Signature

Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-2055.

For the Applicant,



Joseph T. Leone

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ATTACHMENTS:

- One Declaration
- Notification of Missing Requirements
(copy)



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/597,909	Alan D. OLSTEIN	21002.012US

25005
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COPY

INTERNATIONAL APPLICATION NO.	
PCT/US05/04254	
I.A. FILING DATE	PRIORITY DATE
02/12/2005	02/12/2004

CONFIRMATION NO. 7773
 371 FORMALITIES LETTER

 OC000000023612212

Date Mailed: 05/01/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/11/2006
- Oath or Declaration filed on 08/11/2006
- Request for Immediate Examination filed on 08/11/2006
- U.S. Basic National Fees filed on 08/11/2006
- Priority Documents filed on 08/11/2006
- Specification filed on 08/11/2006
- Claims filed on 08/11/2006
- Abstracts filed on 08/11/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

Additionally the following defects have been observed:

- The International Search Report has not be supplied, the Search Fee has been adjusted to reflect this omission.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

KAREN R MCLEAN

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/597,909	PCT/US05/04254	21002.012US

FORM PCT/DO/EO/905 (371 Formalities Notice)